

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VOLUNTARY PETITION

NAME OF DEBTOR

Bernard Edward Davis, III

NAME OF JOINT DEBTOR

Teresa Naomi-Marie Davis

ALL OTHER NAMES USED BY THE DEBTOR IN THE LAST 6 YEARS (including married, maiden & trade)

ALL OTHER NAMES USED BY THE JOINT DEBTOR IN THE LAST 6 YEARS (including married, maiden & trade)

Teresa Coleman

SOC. SECURITY #/TAX I.D. NO (if more than one, state all) IF FALSE OR FRAUDULENT DO NOT SIGN THIS PETITION & COMMIT PERJURY!!! (Last 4 digits of Social)

*****-**-9246**

SOC. SECURITY #/TAX I.D. NO (if more than one, state all) IF FALSE OR FRAUDULENT DO NOT SIGN THIS PETITION & COMMIT PERJURY!!! (Last 4 digits of Social)

*****-**-4399**

Chapter 13W/Plan

STREET ADDRESS OF DEBTOR

**933 Miller Place
Phoenix IL 60426**

STREET ADDRESS OF JOINT DEBTOR

**933 Miller Place
Phoenix IL 60426**

COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS

Cook

COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS

Cook

MAILING ADDRESS OF DEBTOR

MAILING ADDRESS OF JOINT DEBTOR

LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (IF DIFFERENT FROM STREET ADDRESS ABOVE)

NOT APPLICABLE

Information Regarding the Debtor (Check the Applicable Boxes)

VENUE (Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District

TYPE OF DEBTOR (Check all boxes that apply)

☒ **Individual(s)**

- ☐ Corporation ☐ Railroad
☐ Partnership ☐ Stockbroker
☐ Other ☐ Commodity Broker

CHAPTER OR SECTION OF BANKRUPTCY CODE UNDER WHICH THE PETITION IS FILED (Check one box)

- ☐ Chapter 7 ☐ Chapter 11 ☒ Chapter 13
☐ Chapter 9 ☐ Chapter 12 ☐
☐ Sec 304 0- Case ancillary to foreign proceeding

NATURE OF DEBTS (Check one box)

☒ **Consumer/Non-Business** ☐ Business

FILING FEE (Check one box)

☒ **Full Filing Fee Attached**

CHAPTER 11 SMALL BUSINESS (Check all boxes that apply)

- ☐ Debtor is a small business as defined in 11 U.S.C. §101
☐ Debtor is and elects to be considered a small business under 11 U.S.C. Sec.1121(e) (Optional)

STATISTICAL/ADMINISTRATIVE INFORMATION (Estimates Only)

- Debtor estimates that funds will be available for distribution to unsecured creditors
Debtor estimates that, after any exempt property is excluded and administrative expenses paid, the

ESTIMATED NO. OF CREDITORS ☒ **13**

ESTIMATED ASSETS ☒ \$ **148,610**

ESTIMATED DEBTS ☒ \$ **174,549**

**U.S. Bankruptcy Court
Northern District Of Illinois**
Filed: 01/04/2005
Time: 15:36:50
Debtor: BERNARD EDWARD DAVIS II
Case: 05-00197 Fee: 194
Chapter: 13 Rec. #: 3118091
Judge: Susan Pierson Sonderby
341 mtg: 01/26/2005 @ 02:00PM
ConfHrg: 02/10/2005 @ 10:30AM
Trustee: TOM VAUGHN



1:058K00197-8K001

Voluntary Petition

NAME OF DEBTOR(s)

**Bernard Edward Davis, III
Teresa Naomi-Marie Davis**

(This page must be completed and filed in every case)

I STATE THAT I FILED THE FOLLOWING OTHER BANKRUPTCY CASES WITHIN LAST 6 YEARS (IF BLANK, THIS IS FIRST IN 6 YRS)

LOCATION WHERE FILED:

CASE NO.

DATE FILED

PENDING BANKRUPTCY CASE FILED BY ANY SPOUSE, PARTNER, OR AFFILIATE OF THE DEBTOR(S)

NAME OF DEBTOR:

CASE NUMBER:

DATE:

DISTRICT

RELATIONSHIP:

JUDGE:

Exhibit A (To be completed only if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) to the Securities Exchange Act of 1934 and is requesting relief under chapter 11)
Exhibit A is attached and made a part of this petition

Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? NO If yes and Exhibit C is attached and made a part of this petition XXXX No

Signature of Non-Attorney Petition Preparer I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document Printed Name of Bankruptcy Petition Preparer Social Sec# Address
X Signature of Bankruptcy Petition Preparer A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines of imprisonment of both 11 U.S.C. 110; 18 U.S.C. 156.

**DEBTOR (S) READ ENTIRE PETITION SIGN, AND DATE BELOW.
ALSO, SIGN ON EVERY OTHER PAGE REQUIRED**

I declare under penalty of perjury that the information provided in this petition is true and correct. I am aware that I may proceed under Chapter 7, 11, 12 or 13 of Title 11, U.S. Code, understand the relief available under each such Chapter and choose to proceed. I request relief in accordance with the Chapter of Title 11, United States Code, specified in this petition.

Dated: 12/29 /2004

Bernard E. Davis III
Bernard Edward Davis, III

X Date & Sign

Dated: 12/29 /2004

Teresa Naomi-Marie Davis
Teresa Naomi-Marie Davis

X Date & Sign

Exhibit B - Signature of Attorney

Attorney Name: **William R. Murphy**

Bar No: **6272766**

Law Offices of Peter Francis Geraci

55 E. Monroe Street #3400

Chicago IL 60603

312.332.1800 (PH) 312.332.6354 (FAX)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code and have explained the relief available under each Chapter.

Attorney Name: **William R. Murphy**

Bar No: **6272766**

Dated: 1/03 /2004

STATEMENT OF INFORMATION REQUIRED BY 11 U.S.C. §341

INTRODUCTION

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Trustee, United States Department of Justice, has prepared this information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under Chapter 7 of the Bankruptcy Code. This information is intended to make you aware of ...

- (1) the potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
- (2) the effect of receiving a discharge of debts;
- (3) the effect of reaffirming a debt; and
- (4) your ability to file a petition under a different chapter of the bankruptcy code.

There are many other provisions of the Bankruptcy Code that may affect your situation. This information sheet contains only general principles of law and is not a substitute for legal advice. If you have questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with your lawyer.

WHAT IS A DISCHARGE?

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed on your bankruptcy schedules. A discharge is a court order that says you do not have to repay your debts, but there are a number of exceptions. Debts which may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court-ordered fines and restitution; debts obtained through fraud or deception; and personal injury debts caused by driving while intoxicated or taking drugs. Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make false oath. Creditors cannot ask you to pay any debts which have been discharged. You can only receive a chapter 7 discharge once every six (6) years.

WHAT ARE THE POTENTIAL EFFECTS OF A DISCHARGE

The fact that you filed bankruptcy can appear on your credit report for as long as 10 years. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying any debts that were not listed on your bankruptcy schedules or that you incurred after you filed bankruptcy.

WHAT ARE THE EFFECTS OF REAFFIRMING A DEBT?

After you file your petition, a creditor may ask you to reaffirm a certain debt or you may seek to do so on your own. Reaffirming a debt means that you sign and file with the court a legally enforceable document, which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court within 60 days after the first meeting of creditors.

Reaffirmation agreements are strictly voluntary — they are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it at anytime before the court issues your discharge order OR within sixty (60) days after the reaffirmation agreement was filed with the court, whichever is later. If you reaffirm a debt and fail to make payments required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any remaining debt.

OTHER BANKRUPTCY OPTIONS

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a chapter 12 trustee, who also monitors the debtors' farming operations during the pendency of the plan.

Finally, chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must be approved by the bankruptcy court. The debtor must pay the chapter 13 trustee the amounts set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed \$1,000,000 (less than \$290,025 in unsecured debts and less than \$871,550 in secured debts).

AGAIN, PLEASE SPEAK TO YOUR LAWYER IF YOU NEED FURTHER INFORMATION OR EXPLANATION, INCLUDING HOW THE BANKRUPTCY LAWS RELATE TO YOUR SPECIFIC CASE.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

STATEMENT PURSUANT TO RULE 2016(b)

The undersigned, pursuant to Rule 2016(b), Rules of Bankruptcy Procedure, states that:

1. The compensation paid or promised by the Debtor(s), to the undersigned, is as follows:

For legal services rendered, Debtor(s) agrees to pay
 Prior to the filing of this Statement, Debtor(s) has paid
 Balance Due

\$	2,700
\$	0
-\$	2,700

2. The Filing Fee has been paid.
3. The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
 - (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
 - (c) Representation of the client at the first meeting of creditors.
 - (d) Advice as required.
4. The source of payments made by the debtor(s) to the undersigned was from earnings, wages and compensation for services performed, and none other.
5. The source of payments to be made by the debtor(s) to the undersigned for the unpaid balance remaining, if any, will be from earnings, wages and compensation for services performed and none other.
6. The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: None.
7. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.

Dated: 1/03 /2004

Respectfully submitted,


 Attorney Name: William K Murphy Bar No: 621766

Law Offices of Peter Francis Geraci
 55 E. Monroe Street #3400
 Chicago IL 60603
 312.332.1800 (PH) 312.332.6354 (FAX)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Description and Location of Property	Nature of Debtor's Interest in Property	H W J C	Market Value of Debtor's Interest	Amount of Secured Claim
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933 Miller Place Phoenix, IL 60426 (Debtor's Residence)

J

\$ 135,000

\$ 136,875

TOTAL \$ 135,000

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed in Schedule C - Property Claimed as Exempt.

Description and Location of Property	HWJC	Market Value of Debtors
01. Cash on Hand	<input checked="" type="checkbox"/> None	
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		
TCF Bank checking acctnt	W	\$ 20
TCF Bank checking acctnt	J	\$ 10
03. Security Deposits with public utilities, telephone companies, landlords and others.	<input checked="" type="checkbox"/> None	
Security Deposit with ComED \$200		
04. Household goods and furnishings, including audio, video, and computer equipment.		\$ 715
Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware		
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		\$ 60
Books, Compact Discs, Tapes/Records, Family Pictures		
06. Wearing Apparel		\$ 360
Necessary wearing apparel		
07. Furs and jewelry.		\$ 45
Earrings, watch, costume jewelry		
08. Firearms and sports, photographic, and other hobby equipment.	<input checked="" type="checkbox"/> None	
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	<input checked="" type="checkbox"/> None	
10. Annuities	<input checked="" type="checkbox"/> None	
11. Interest in IRA, ERISA, Keogh, or other pension or profit sharing plans.	<input checked="" type="checkbox"/> None	
12. Stocks and interests in incorporated and unincorporated businesses.	<input checked="" type="checkbox"/> None	
13. Interest in partnerships or joint ventures.	<input checked="" type="checkbox"/> None	
14. Government and corporate bonds and other negotiable and non-negotiable instruments.	<input checked="" type="checkbox"/> None	
15. Accounts receivable	<input checked="" type="checkbox"/> None	
16. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	<input checked="" type="checkbox"/> None	

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed in Schedule C - Property Claimed as Exempt.

Description and Location of Property	H W J C	Market Value of Debtors
17. Other liquidated debts owing debtor including tax refunds.	<input checked="" type="checkbox"/>	None
18. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	<input checked="" type="checkbox"/>	None
19. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<input checked="" type="checkbox"/>	None
20. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.	<input checked="" type="checkbox"/>	None
21. Patents, copyrights and other intellectual property.	<input checked="" type="checkbox"/>	None
22. Licenses, franchises and other general intangibles.	<input checked="" type="checkbox"/>	None
23. Autos, Truck, Trailers and other vehicles and accessories.		
Transouth - 2004 Chevrolet Malibu w/ more than		\$ 11,250
1995 Dodge Neon w/ more than 50k miles.		\$ 1,150
24. Boats, motors and accessories.	<input checked="" type="checkbox"/>	None
25. Aircraft and accessories.	<input checked="" type="checkbox"/>	None
26. Office equipment, furnishings, and supplies.	<input checked="" type="checkbox"/>	None
27. Machinery, fixtures, equipment, and supplies used in business.	<input checked="" type="checkbox"/>	None
28. Inventory	<input checked="" type="checkbox"/>	None
29. Animals	<input checked="" type="checkbox"/>	None
30. Crops-Growing or Harvested.	<input checked="" type="checkbox"/>	None
31. Farming equipment and Implements.	<input checked="" type="checkbox"/>	None
32. Farm supplies, chemicals, and feed.	<input checked="" type="checkbox"/>	None
33. Other personal property of any kind not already listed.	<input checked="" type="checkbox"/>	None
TOTAL	\$	13,610

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE C - PROPERTY CLAIMED EXEMPT

[] 11 U.S.C. §522(b)(1): Exemptions provided in 11 U.S.C. §522(d). Note: These exemptions are available only in certain states.

[x] 11 U.S.C. §522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as tenant by the entirety or joint tenant to the extent interest is exempt from process under applicable nonbankruptcy law.

Description and Location of Property	Specify Law Providing Exemption and Value of Claimed Exemption	Market Value of Debtor's Interest Before Claim
00. Real Property 933 Miller Place Phoenix, IL 60426 (Debtor's Residence)	735 ILCS 5/12-901	\$ 15,000 \$ 135,000
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives. TCF Bank checking acct	735 ILCS 5/12-1001(b)	\$ 20 \$ 20
04. Household goods and furnishings, including audio, video, and computer equipment. Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, entertainment center, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware	735 ILCS 5/12-1001(b)	\$ 715 \$ 715
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles. Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 60 \$ 60
06. Wearing Apparel Necessary wearing apparel	735 ILCS 5/12-1001(a),(e)	\$ 360 \$ 360
07. Furs and jewelry. Earrings, watch, costume jewelry	735 ILCS 5/12-1001(b)	\$ 45 \$ 45
23. Autos, Truck, Trailers and other vehicles and accessories. Transouth - 2004 Chevrolet Malibu w/ more than	735 ILCS 5/12-1001(c)	\$ 1,200 \$ 11,250

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding claims secured by property of the debtor as of the date of filing of the petition. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing "H", "W", "J", or "C" in the column labeled "HWJC".

Creditor Name and Address	Account # Nature of Lien Dates Claim Was Incurred	C U D	H W J C	Unsecured Portion	Claim Amount
1 Transouth Bankruptcy Department PO Box 782 Owings Mills MD 21117-0781	Account No.: 2457633201 Nature of Lien: Lien on Vehicle Dates: 2004 Intention: None *Description: Transouth - 2004 Chevrolet Malibu w/ more than			\$ 7,250	\$ 18,500
2 Homecomings Financial Attn: Bankruptcy Department 2711 N. Haskell Ave., Ste. 900 Dallas TX 75204	Account No.: 437977192 Nature of Lien: Mortgage Dates: 2004 Intention: None *Description: 933 Miller Place Phoenix, IL 60426 (Debtor's Residence)		J	\$ 0	\$ 133,000
3 Homecomings Financial Attn: Bankruptcy Department 2711 N. Haskell Ave., Ste. 900 Dallas TX 75204	Account No.: 437977192 Nature of Lien: Mortgage Arrears Dates: 2004 Intention: None *Description: 933 Miller Place Phoenix, IL 60426 (Debtor's Residence)			\$ 0	\$ 3,875
TOTAL SECURED DEBT					\$ 155,375

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name and mailing address, including zip code, and account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C", in the column labeled "HWJC".

Claims of a spouse, former spouse, or child of the debtor, for alimony, maintenance or support, to the extent provided in 11 U.S.C. S507(a) (7).

Taxes and Certain Other Debts Owed to Governmental Units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. S507(a) (8).

Creditor Name and Address	Account # Consideration For Claim Dates Claim Was Incurred	C U D	H W J C	Claim Amount
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[x] None

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and account number, if any, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. Do not include claims listed in Schedules D and E. If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "HWJC". If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Creditor Name and Address	Account # Consideration For Claim Dates Claim Was Incurred	C U D	H W J C	Claim Amount
1 Discover Financial Bankruptcy Department PO Box 30395 Salt Lake City UT 84130-0395	Account No. 6011007450599476 Reason: Credit Card or Credit Use Dates: 2001-04			\$ 2,157
2 Citibank Bankruptcy Department PO Box 6077 Sioux Falls SD 57177	Account No. 5424180401189797 Reason: Credit Card or Credit Use Dates: 2000-03			\$ 1,707
3 Citibank SD NA Bankruptcy Dept PO Box 550720 Jacksonville FL 32255-0720	Account No. 462120102373 Reason: Credit Card or Credit Use Dates: 1997-2002			\$ 1,581
4 Radio Shack Bankruptcy Department PO Box 9025 Des Moines IA 50368-9025	Account No. 7738209970456 Reason: Credit Card or Credit Use Dates: 1999-2003			\$ 1,202
5 Nextel Communications Bankruptcy Department PO Box 4191 Carol Stream IL 60197	Account No. 924781513 Reason: Utility Bills/Cellular Service Dates: 2001-03			\$ 1,174
6 Cingular Wireless Attn: Bankruptcy Dept. PO Box 6428 Carol Stream IL 60197	Account No. 279369536 Reason: Utility Bills/Cellular Service Dates: 2000-03			\$ 610
7 CorTrust Bank Bankruptcy Department PO Box 70 Mitchell SD 57301	Account No. Reason: Credit Card or Credit Use Dates: 2001-03			\$ 687
8 KCA Financial Services Bankruptcy Department 628 North St Geneva IL 60134	Account No. 170633 Reason: Medical/Dental Services Dates: 2001-03			\$ 76

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor Name and Address	Account # Consideration For Claim Dates Claim Was Incurred	C U D	H W J C	Claim Amount
9 Sallie Mae Attn: Bankruptcy Dept. PO Box 9500 Wilkes Barre PA 18773-9500	Account No. Reason: Loan or Tuition for Education Dates: 1996			\$ 9,000
10 GFG Loan Co. Bankruptcy Department 2 W. Madison St., Ste. 200 Oak Park IL 60302	Account No. 200106960 Reason: PayDay Loan Dates: 2004			\$ 930
				TOTAL UNSECURED DEBT \$ 19,174.00

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contracts, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

Name and Address of Other Parties to Instrument**Notes of Contract or Lease and Debtor's Interest****[x] None**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

Name and Address of Co-Debtor**Name and Address of the Creditor****1 [x] None**

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a Chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separate and a joint petition is not filed.

Debtor's Marital Status: Married**Dependent(s)****EMPLOYMENT: DEBTOR**

Occupation: **Spotter**
 Name of Employer: **Pacific Rail Services**
 Years Employed: **5 years**
 Employer Address: **7600 Santa Fe Drive**
 Employer Address: **Hodgkins**

IL 60525**EMPLOYMENT: SPOUSE**

Translation Technician
Caremark
1.5 years
2211 Sanders Rd
Northbrook

IL 60062**INCOME AND PAYROLL DEDUCTIONS****DEBTOR INCOME****SPOUSE INCOME**

Current monthly gross wages, salary, and commissions

\$2,513.33**\$1,456.00**

Estimated Monthly overtime

\$0.00**\$0.00****SUBTOTAL**

a. Payroll Taxes & Social Security

\$582.18**\$214.50**

b. Insurance

\$0.00**\$0.00**

c. Union Dues

\$0.00**\$0.00**

d. Other: Pension

\$0.00**\$0.00****LESS PAYROLL DEDUCTIONS****\$582.18****\$214.50****TOTAL NET MONTHLY TAKE HOME PAY****\$ 1,931.15****\$ 1,241.50**

Regular income from operation of business or profession or farm (attach detailed statement)

\$ 0.00**\$ 0.00**

Income from real property

\$ 0.00**\$ 0.00**

Interest and dividends

\$ 0.00**\$ 0.00**

Alimony, maintenance or support payments payable to debtor for the debtor's use or that of dependents listed above

\$ 0.00**\$ 0.00**

Pension or retirement income

\$ 0.00**\$ 0.00**

Other monthly income

\$ 0.00**\$ 0.00****TOTAL MONTHLY INCOME****\$ 1,931.15****\$ 1,241.50****TOTAL COMBINED MONTHLY INCOME****\$ 3,172.65**

Describe any increase/decrease of more than 10% in any of the above categories anticipated to occur within the yr following filing of this document:

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

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Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SCHEDULE J - CURRENT EXPENDITURES

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

MORTGAGE & RENT (include lot rented for mobile home)Are real estate taxes included? ☒ Yes ☐ NoIs property insurance included? ☒ Yes ☐ No**UTILITIES & MAINTENANCE**

1st Mortgage or Rent \$ 0.00

2nd Mortgage \$ 0.00

3rd Mortgage \$ 0.00

Electricity and Heating Fuel \$ 90.00

Water and Sewer \$ 35.00

Telephone \$ 75.00

Garbage \$ 15.00

Cable \$ 0.00

Repairs, Maintenance & Upkeep \$ 50.00

NECESSARY LIVING EXPENSE

Food \$ 400.00

Clothing \$ 25.00

Laundry and Dry Cleaning \$ 25.00

Medical and Dental expenses, Rx Medicines \$ 30.00

Transportation (not including car payments) \$ 199.00

Recreation, Clubs, and Entertainment, etc \$ 0.00

Newspapers, Magazines \$ 10.00

Charitable contributions \$ 0.00

INSURANCE - Not deducted from wages or included in home mortgage payments

Homeowner's or Renter's \$ 0.00

Life \$ 0.00

Health \$ 0.00

Auto \$ 155.00

Taxes - Not deducted from wages or included in home mortgage payments \$ 0.00

AUTOMOBILE EXPENSES

Auto Installment Payments \$ 0.00

Auto Repair \$ 100.00

SUPPORT PAYMENTS

Alimony, maintenance, and support paid to others \$ 0.00

Payments for support of additional dependents not living at your home

Regular expenses from operation of business, profession, farm (attach detailed statement)

ALL OTHER MISCELLANEOUS EXPENSES

Haircuts \$ 15.00

Personal Care, Non-Rx, Toiletries, Cleaning Supplies \$ 0.00

Postage/Banking \$ 8.00

Contacts \$ 0.00

Tuition, Books \$ 0.00

Student Loans \$ 0.00

Cellular Phone \$ 60.00

\$ 0.00

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)**\$ 1,332.00****FOR CHAPTER 12 AND 13 DEBTORS ONLY**

A. Total projected monthly income \$ 3,172.65

B. Total projected monthly expenses \$ 1,332.00

C. Excess income (A minus B) \$ 1,840.65

D. Total amount to be paid into plan monthly

\$ 1,840.00

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

Name of Schedule	Attached YES / NO	Pages	AMOUNTS SCHEDULED		
			Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$ 135,000		
SCHEDULE B - Personal Property	Yes	—	\$ 13,610		
SCHEDULE C - Exempt	Yes	—			
SCHEDULE D - Secured	Yes	—		\$ 155,375	
SCHEDULE E - UnSecured Priority	Yes	1			
SCHEDULE F - UnSecured NonPriority -	Yes	—		\$ 19,174	
SCHEDULE G - Executory Contracts	Yes	—			
SCHEDULE H - CoDebtors	Yes	1			
SCHEDULE I - Income	Yes	1			\$ 3,173
SCHEDULE J - Expenditures	Yes	1			\$ 1,332
			\$ 148,610	\$ 174,549	
			TOTAL ASSETS	TOTAL LIABILITIES	

In Re: Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors

Case No. : _____

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL/JOINT DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. SS 152 and 3571.

Sign: X

Dated: 12 / 29 /2004

Bernard E. Davis III
Bernard Edward Davis, III

Sign: X

Dated: 12 / 29 /2004

Teresa Naomi-Marie Davis
Teresa Naomi-Marie Davis

SIGN AND DATE ABOVE

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family partner, or self-employed professional, will provide information requested on this statement concerning all such activities as well as the individual's personal affairs.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this statement if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. 101

Description and Details

01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS: Identify all sources of income if there is more than one. State the gross amount of income debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the 2 years immediately preceding this case calendar year.

Debtor**2004.....: Approx. \$23,865/yr****2003.....: Approx. \$51,172****2002.....: Approx. \$32,266****Source.....: Employment**

Spouse

☒ NONE

02. INCOME OTHER THAN FROM EMPLOYMENT OR OPERATION OF BUSINESS: State the amount of income received by the debtor OTHER than from employment, trade, profession, or operation of the debtor's business during the 2 years immediately preceding the commencement of this case. Include all payments received from any source. Indicate multiple sources of income.

Spouse

☒ NONE

03. PAYMENTS TO CREDITORS: List all payments on loans, installments, purchases of goods or services, and other debts, aggregating more than \$600.00 to any creditor, made within 90 days immediately preceding the commencement of this case. INCLUDE MORTGAGE AND VEHICLE PAYMENTS MADE IN THE LAST 3 MONTHS.

☒ NONE

03b PAYMENTS TO RELATIVES OR INSIDERS List all payments made within 1 year immediately preceding the commencement of this case or for the benefit of creditors who are or were insiders.

☒ NONE**04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:**

List all lawsuits & administrative proceedings you were a party to within 1 year of today, whether as a plaintiff or defendant or other party. Include divorces, injury claims, employment claims and all others.

☒ NONE

04b: WAGES OR ACCOUNTS GARNISHED: List all property that has been attached, garnished or seized under any legal or equitable process within 1 year:

☒ NONE

05. REPOSSESSION, FORECLOSURES AND RETURNS: List all property repossessed, sold at foreclosure sale, deed in lieu of foreclosure, returned to the seller, within 1 year of filing this bankruptcy:

☒ NONE

06. ASSIGNMENTS AND RECEIVERSHIPS: List assignment of property for benefit of creditors within 120 days before filing this bankruptcy:

☒ NONE

List any property in the hands of a custodian, receiver, or court-appointed official within 1 year of today.

☒ NONE

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

STATEMENT OF FINANCIAL AFFAIRS

List any property in the hands of a custodian, receiver, or court-appointed official within 1 year of today.

☒ NONE

07. GIFTS: List all gifts or charitable contributions you made within 1 year before filing this bankruptcy case except ordinary & usual gifts or family members less than \$200.00 total per individual family member, & charity contributions less than \$100.00 per recipient.

☒ NONE

08. LIST ALL FIRE, THEFT OR GAMBLING LOSSES WITHIN 1 YEAR OF TODAY:

☒ NONE

09. LIST ALL PAYMENTS TO CREDIT COUNSELORS OR BANKRUPTCY ATTORNEYS INCLUDING PETER FRANCIS GERACI: (by you, or by others for you, within 1 year of today)

Payee.....: Law Offices of Peter Francis Geraci**Address.....: 55 East Monroe Street****Address2.....: Suite 3400****Address3.....: Chicago IL 60603****Date of Payment: /****Payor.....: Debtor****Payment/Value.....: 2,700.00**

In addition to Peter Francis Geraci and his employees of his firm, I hired, at no additional fee, attorneys listed on my contract of representation to work on my case.

☒ NONE

10. If you transferred any property of any kind, either absolutely or as security, within 1 year of today, give details: (Including but not limited to: vehicle trades, transfers or sales, loans against property, divorce transfers, quit-claim deeds, trusts)

☒ NONE

11. If you CLOSED or TRANSFERRED any checking savings, pension, stock, brokerage, mutual fund, credit union or other accounts within 1 year of today, list details:

☒ NONE

12. LIST ANY SAFETY DEPOSIT BOXES OR OTHER DEPOSITORY PLACES the debtor has or had securities, cash, or other valuables within 1 year of today:

☒ NONE

13. LIST ALL SETOFFS by any creditor, such as a bank or credit union, against a debt or deposit of yours within the past year.

☒ NONE

14. LIST ALL PROPERTY THAT YOU HOLD FOR ANOTHER PERSON: (Including but not limited to: minor's accounts, vehicle in your name that is really someone else's, accounts or property or items you are on title to or in possession of)

☒ NONE

15. WHERE HAVE YOU LIVED IN LAST 2 YEARS:

Prior Address: Palos Hills, IL**Names(s)Used: Same****Dates.....: 2002-March 2004**

16. COMMUNITY PROPERTY STATES WISCONSIN & OTHERS: If you live or did live in a community property state or territory (Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) in last 6 years, name your spouse & ex-spouse & the community property state.

☒ NONE

17. ENVIRONMENTAL INFORMATION: "Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes material.

☒ NONE

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites. "Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

a. If you have received notice of violation of any ENVIRONMENTAL LAW VIOLATION, list name & address of every site & the governmental unit, date of the notice, & Environmental law:

☒ NONE

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**Attorney for Debtor: William K Murphy**

Case No. : _____

STATEMENT OF FINANCIAL AFFAIRS

a. If you have received notice of violation of any ENVIRONMENTAL LAW VIOLATION, list name & address of every site & the governmental unit, date of the notice, & Environmental law:

☒ NONE

b. If you provided notice of release of Hazardous Material, list name and address of every site and governmental unit.

☒ NONE

c. If you were party to any Environmental Law judicial or administrative proceedings, orders or settlements, give the name & address of governmental unit that is or was a party to the proceedings, & docket number.

☒ NONE

18. a. List names, addresses, taxpayer ID #, nature of business, begin & end dates all businesses, sole-proprietors, partnerships, corporations in which you had any interest, office, 5% of more voting or equity interest within 6 years of today. List same if debtor is partnership or corporation.

☒ NONE

Name Taxpayer ID# ADDRESS NATURE DATES

b. Identify any business listed above that is a "single asset real estate" as defined in 11 U.S.C. 101.

b. Identify any business listed in subdivision a. that is "single asset real estate" as defined in 11 U.S.C. 101.

☒ NONE

19. List all bookkeepers and accountants in the last 2 years who kept, or supervised the keeping of, your books of account and records.

☒ NONE

b. List all firms or individuals who have audited the books of account and records, or prepared a financial statement of yours in the last 2 years.

☒ NONE

c. List all firms or individuals who are now in possession of your books of account and records of the debtor. If any books or records not available, explain.

☒ NONE

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the last 2 years.

☒ NONE

20. INVENTORIES

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

☒ NONE

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

☒ NONE

21A. Only if you are a partnership, list nature and percentage of interest of each member of it.

☒ NONE

b. Only if debtor is a corporation, list officers & directors; each stockholder who directly or indirectly owns, controls, or holds 5% or more of the voting or equity securities of the corporation.

☒ NONE

22. ONLY IF debtor is a partnership, list each member who withdrew from the partnership within 1 year.

☒ NONE

b. If the debtor is a corporation, list all officers or directors whose relationship with the corporation terminated within 1 year immediately preceding the commencement of this case.

☒ NONE

23. ONLY IF DEBTOR IS A PARTNERSHIP OR CORPORATION, list withdrawals or distributions or payments, bonuses, loans etc. to insiders, including compensation in any form, in past year.

☒ NONE

24. ONLY IF YOU ARE A CORPORATION, list information of parent corporation and taxpayer ID number in last 6 years.

☒ NONE

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

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Case No. : _____

STATEMENT OF FINANCIAL AFFAIRS

25. ONLY IF debtor is not an individual, list name & federal taxpayer ID number of any pension fund to which debtor, as an employer, was responsible for contributing in last 6 years.

☒ **NONE****I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.**Dated: 12/29 /2004Bernard E. Davis III**Bernard Edward Davis, III****X Date & Sign**Dated: 12/29 /2004Teresa Naomi-Marie Davis**Teresa Naomi-Marie Davis****X Date & Sign**

* Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

DISCLAIMER**For Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors**

- 1. DEBTS TO A SPOUSE, EX-SPOUSE OR CHILD OF YOURS FOR ALIMONY, MAINTENANCE OR SUPPORT** in connection with a separation agreement, divorce decree or court order. DEBTS YOU AGREED TO ASSUME IN MARITAL SETTLEMENT AGREEMENTS are GENERALLY dischargeable. They are NON-DISCHARGEABLE only if your ex-spouse files an adversary complaint, and the Judge rules that (a) you do not have the ability to pay the debt OR (b) discharging such debt would result in a benefit to you that outweighs the detriment to ex-spouse or your child.
- 2. STUDENT LOANS, TUITION, EDUCATIONAL BENEFITS** if government insured loan or owed to non-profit school unless you file a complaint within the bankruptcy to prove repayment would be an "undue hardship", and win.
- 3. CO-SIGNERS, JOINT APPLICANTS AND JOINT CARD HOLDERS ARE NOT PROTECTED.** Creditors can collect from co-signors and put your bankruptcy on their credit report. You can usually prevent this by continuing to make the regular payments to the creditor. Creditors can liquidate collateral of your co-signer and refuse to continue payment in installments. Property you are joint on with other persons can be LIQUIDATED to pay your creditors.
- 4. TAX DEBTS.** Most taxes are not discharged in bankruptcy. However, income tax debt (1040 type tax) can be discharged if the following four rules are met:
 (1). The tax return was DUE at least 3 YEARS (plus extensions) before the filing of your bankruptcy case.
 (2). You FILED your income tax return at least 2 YEARS before your bankruptcy was filed. You did not file a return if the tax authority or IRS had to file one for you, or if you didn't send the return to the District Director.
 (3). You did not willfully intend to evade the tax.
 (4). The tax must have been ASSESSED over 240 DAYS before the bankruptcy filing. We recommend you meet with the IRS or state department of revenue to make sure all the conditions have been met, before you hire us or file a bankruptcy. Fraudulent taxes and taxes on unfiled returns can be discharged in a Chapter 13 case. Time in an offers in compromise, & time in bankruptcy plus 6 months, will extend the above time periods. Employers' share of FICA & FUTA is dischargeable, but no trust fund taxes like the employee's funds or sales tax.
- 5. FINES OR PENALTIES OWED TO A GOVERNMENTAL UNIT.** Parking & Traffic tickets, building code violations.
- 6. NON-FILING HUSBAND OR WIFE.** If you choose to file individually, your spouse is not our client. Only your debts are discharged. If you want to protect a non-filing spouse, pay their bills or file a joint case with them. Family expenses such as medical bills, rent and necessities may be collected from a non-filing spouse. In Wisconsin, community property is liable for community debts.
- 7. DUI PERSONAL INJURIES, DEBTS YOU DON'T LIST.**
- 8. DEBTS WHERE OBJECTION TO DISCHARGE IS SUCCESSFUL** Creditors, the Trustee, or the Court, can try to deny you a discharge based on many factors,
 a. Income sufficient to pay a percentage of your unsecured debt.
 b. Failure to keep books and records documenting your financial affairs.
 c. Luxury purchases or cash advances, either shortly before filing or without intent or ability to repay.
 d. Debts you made by false pretenses, breach of fiduciary duty, willful and malicious injuries to others
 e. **BENEFITS OVERPAYMENTS** like aid or unemployment if a determination of fraud has been made before or during your bankruptcy.
 f. Failure to appear at meetings, court dates, or co-operate with Trustee.
- 9. INTEREST ON NON-DISCHARGEABLE DEBTS** in a Chapter 13 continues to accrue, and CREDITORS WHO DO NOT FILE CLAIMS in your Chapter 13 plan within 90 days (180 days for governmental units) of the meeting of creditors, do not get paid. Your plan and their claim should provide for interest at contract rate, or you will have to pay the debt outside the Chapter 13 plan. Property taxes must be paid by you directly to avoid sale for delinquent taxes.
- 10. LIQUIDATION OF REAL AND PERSONAL PROPERTY.** If you file a Chapter 7, any property that is not protected on Schedule C pursuant to state or federal law is taken and sold by the trustee to pay creditors. You agree to assume the risk that your property will be taken and sold by the bankruptcy trustee (at or less than what it is worth) if we can't protect it under applicable state law. You get a discharge, but the trustee can take property not listed and exempted on schedules B and C and sell it for whatever price will provide some benefit to creditors. The trustee can also challenge and deny exemptions you claim.
- 11. CHANGE IN LAWS.** Laws & court cases change constantly. We can file your case today if you pay us in full (some attorneys give credit, we don't) pay the filing fee and sign your petition in our main office. ANY DELAY BEYOND TODAY IS YOUR RESPONSIBILITY. ADVERSE RULINGS Judges that sit in adjoining courtrooms can rule differently on the same facts. We can predict but cannot guarantee that a judge will or will not rule against you. You must accept the risk of a judge ruling against you, as in any lawsuit.
- 12. PAYMENTS TO CREDITORS YOU PREFERRED** to pay more than \$600 in front of others, within 1 yr if a relative or insider, or within 90 days if another creditor, so don't pay off debts to keep credit cards or protect others. TRANSFERS OF PROPERTY within 4 years that made you unable to pay your debts at the time can be reversed by a Trustee and the transferee will have to give back the property you transferred.
- 13. SURRENDER OF PROPERTY** Bankruptcy gets rid of debts, but real estate, condos and time shares remain in your name until a foreclosure sale or the lender accepts a deed in lieu of foreclosure. Turn condo keys over to condo association or remain liable for assessments after filing, and make sure you keep buildings & land insured and maintained and secured until it is taken back by lender or out of your name. If you let a house go vacant and pipes explode or someone gets killed in there you may be liable.
- 14. RIGHT TO RECEIVE INHERITANCES, tax refunds, injury claims, compensation of any kind, insurance or realty commissions,** are property of the bankruptcy estate and you will surrender these to the trustee unless they are claimed exempt on Schedule C, and no objection to your claim of exemption is upheld. Do not deduct extra money from taxes so you are entitled to a refund, change your W-9 if necessary.
- 15. JOINT ACCOUNT HOLDERS** holders entire amount in the account could be taken by the trustee under Chapter 7.
- 16. MARRIED COUPLES GOING THROUGH DIVORCE:** We have been advised to seek independent counsel for our bankruptcy. We understand that Peter Francis Geraci does not represent us with regard to any divorce matters and does not make any representations regarding what will happen in divorce court. We have decided to file a bankruptcy together despite the fact that we are getting a divorce and our interests could be adverse. We have agreed to cooperate with each other in this joint bankruptcy.
- 17. AUTO LEASES & INSTALLMENT AGREEMENTS** to purchase things, leases and almost all contracts will be void after bankruptcy. They are "executory contracts", and if they are of no benefit to the bankruptcy estate and not assumed within 60 days of filing, they are void. Debtors have been warned of this, and unless there is a novation under state law, or agreement not to use bankruptcy to void the contract, the debtors rights under the contract are extinguished. Debtor agrees to be responsible for obtaining such agreements or losing rights under such contracts. Debtor agrees that his or her attorney will not file motions to assume such contracts.

The Undersigned have read the above & assume the risk that a debt is not discharged in bankruptcy, that our non-exempt property will be taken and sold by the bankruptcy trustee if it can't be protected, that the trustee might object if I/we have excess income, or change in State, Federal or Bankruptcy laws before the case is filed in Court AND WE HAVE TO READ, CHECK, & MAKE SURE OUR PETITION IS ACCURATE!!!!

Dated: 12/29/2004Bernard E. Davis III

Bernard Edward Davis, III

X Date & Sign

Dated: 12/29/2004Teresa Naomi-Marie Davis

Teresa Naomi-Marie Davis

X Date & Sign

Cingular Wireless
Attn: Bankruptcy Dept.
PO Box 6428
Carol Stream, IL 60197

Citibank
Bankruptcy Department
PO Box 6077
Sioux Falls, SD 57177

Citibank SD NA
Bankruptcy Dept
PO Box 550720
Jacksonville, FL 32255

CorTrust Bank
Bankruptcy Department
PO Box 70
Mitchell, SD 57301

Discover Financial
Bankruptcy Department
PO Box 30395
Salt Lake City, UT 84130

GFG Loan Co.
Bankruptcy Department
2 W. Madison St., Ste. 200
Oak Park, IL 60302

Homecomings Financial Network
Attn: Bankruptcy Department
2711 N. Haskell Ave., Ste. 900
Dallas, TX 75204

Homecomings Financial Network
Attn: Bankruptcy Department
2711 N. Haskell Ave., Ste. 900
Dallas, TX 75204

KCA Financial Services
Bankruptcy Department
628 North St
Geneva, IL 60134

Nextel Communications
Bankruptcy Department
PO Box 4191
Carol Stream, IL 60197

Radio Shack
Bankruptcy Department
PO Box 9025
Des Moines, IA 50368

Sallie Mae
Attn: Bankruptcy Dept.
PO Box 9500
Wilkes Barre, PA 18773

Transouth
Bankruptcy Department
PO Box 782
Ownings Mills, MD 21117

NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

In Re: Bernard Edward Davis, III and Teresa Naomi-Marie Davis / Debtors

VERIFICATION OF CREDITOR MATRIX

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

Dated: 12 / 29 / 2004

Bernard E. Davis III
Bernard Edward Davis, III

Dated: 12 / 29 / 2004

Teresa Naomi-Marie Davis
Teresa Naomi-Marie Davis

SIGN AND DATE ABOVE